

Serial No. 09/712,145  
Amdt. dated November 9, 2004  
Reply to Office Action of June 6, 2004

Docket No. K-0234

### **REMARKS**

Favorable reconsideration of this application as presently amended in light of the following discussion is respectfully requested.

Claims 1-5, 17 and 18 are pending in a present application. Claims 6-16 have been cancelled, 1-5 have been amended and claims 17 and 18 have been added by the present amendment.

In the Office Action, the drawings, specification and claims were objected to; claims 3-10 were rejected under 35 U.S.C. § 112, first paragraph; claim 1 was rejected under 35 U.S.C. § 102(b) as anticipated by Kelem; and claim 2 was rejected under 35 U.S.C. § 103(a) and unpatentable over Kelem in view of Groudis et al.

Regarding the objection to equation 5 at page 8, the specification has been amended as suggested in the Office Action. Further, the description at page 12, line 3-13 has been amended to correspond with equation 7 and the description at page 9, lines 3-9. The specification has also been amended at page 12, line 9 as suggested in the Office Action and to correct minor informalities. Accordingly, it is respectfully requested the objection to the specification be withdrawn. The abstract and the title have also been appropriately amended to correct minor informalities.

Further, the claims have been amended in light of the objections noted in the Office Action, and claim 3 has been amended in light of the rejection of claims 3-10 under 35

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U.S.C. § 112, first paragraph. Accordingly, it is respectfully requested this objection/rejection be withdrawn. In addition, it is respectfully submitted the objection to the drawings has also been overcome based on the amendment to claim 3.

In addition, independent claim 1 has been amended to include equation (5) in the specification at page 8, which corresponds to dependent claim 8. Independent claim 3 has been amended to include features recited in dependent claims 6-8. Accordingly, the rejections of claim 1 under 35 U.S.C. § 102(b) and claim 2 under 35 U.S.C. § 103(a) are moot.

Further, new claims 17 and 18 have been added to set forth the invention in a varying scope, and Applicants submit the new claims are supported by the originally filed specification. It is respectfully submitted the applied art does not teach or suggest the claimed features or the combinations thereof.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David A. Bilodeau**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

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concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and  
please credit any excess fees to such deposit account.

Respectfully submitted,  
FLESHNER & KIM, LLP

A handwritten signature in black ink, appearing to read "Daniel Y.J. Kim". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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